



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Klaus SCHWUNG et al.

Group Art Unit: 1794

Application No.: 10/509,875

Examiner: A. SYKES

Filed: June 3, 2005

Docket No.: 121059

For: COMPOSITE MATERIAL, METHOD OF PRODUCTION AND USES THEREOF

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 4, 2009 Office Action, a Request for Continued Examination and Request for Suspension of Action and Petition for Extension of Time being filed herewith, please consider the following remarks.

The Office Action rejects claims 1-5 and 12-17 under 35 U.S.C. §103(a) over Shue et al. (U.S. Patent No. 4,489,129) and the Merriam-Webster Online Dictionary; and rejects claims 1-5 and 12-16 under 35 U.S.C. §103(a) over Harris (U.S. Patent No. 4,910,289). The rejections are respectfully traversed.

In response to Applicants' arguments filed August 21, 2009, the Office Action asserts that while Applicants argue that the Office relies on an unreasonably broad interpretation of Shue, the "Examiner notes that just as the claims are given their broadest possible interpretation, the applied references are used for all they suggest one of ordinary skill in the art. Shue is explicit to modifying various percentages of materials for the composites in order to tailor them for intended use." However, the Office Action misses the point — Applicants